IN THE BOMBAY HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.74 OF 2005

L.T.Finance Ltd. ...Petitioner.

vs.

Ashwin Crane & Construction
and another. ...Respondents.

Ms.Shakuntala Joshi, for Petitioner.

Mr.S.K.Jain, for Respondents.

CORAM: D.K.DESHMUKH,J.

DATED: 1st March, 2005.

P.C.:-

1. The order dated 9th October,2003 passed in Judges Order no.197 of 2003 in categorical terms directs that the Receiver appointed by this Court shall take

possession of all the machineries in relation to which the receiver is appointed by order dated 3rd June,2003 passed in Arbitration Petition no.88 of 2002. Admittedly, the petitioner has not complied with the order dated 9th October,2003 and has not handed over the possession of the machineries which is described at item no.1 in paragraph no.2 of the order dated 3rd June,2002. Unless order dated 9th October,2003 passed in Judges Order no.197 of 2003 which is binding between the parties, is implemented by the petitioner, no further orders can be passed. Petition is disposed of.

2. Parties to act on the ordinary copy of the order duly authenticated by Associate/Personal Secretary of this Court.

1.3.2005 ----